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AGITATE! EDUCATE! ORGANIZE!

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Injunction Process Is 2500 Years Old

By ANDREW FURUSETH

History gives the birth of the tribunician power as the year 494 before the Christian era. The cause is given as an intense struggle between the plebeians and the patricians in Rome. The power given to the tribune was a power to delay action. If the tribune thought that an injustice was about to be done to any individual plebeian in a court, he could stop all further consideration of the case during his tribunate, which lasted for one year. If he thought that a law would work serious hardship upon the plebeians, as a class, he could forbid the publication of such law during his own "tribunate."

The power of the tribune was absolute and irresponsible. The tribune's person was sacrosanct, and to criticise him or to assault him was punishable by death. When the several powers within the Roman republic were merged in the person of Caesar, he became tribune for life, as he became personification of all other powers. What the power vested in Caesars or emperors, who succeeded them, the person of the Caesar or imperator became the writ of individual here we have the origin of the divine right of kings and of the judges sitting for and acting in the place of kings. This is why it is yet called the court and why any contempt of court may be punished summarily by the judge. Lese majeste and contempt of court is the same thing and comes to us from the same source. There must, of course, be order and decorum in the court or its functions would be seriously impaired. But when the court of today exercises the identical powers that the tribune—and after him the Caesars, emperors and kings —exercised, we have a right to protest and look for a remedy because the power of the king has been curtailed. When the power is now used by the judges to protect the strong against the weak in lieu of protecting the weak against the strong, we are all the more within our rights in protesting and seeking to find and to apply a proper remedy.

The struggle over the exercise of the tribunician power in Great Britain is known as the struggle between the law courts and the chancery courts—in other words, between the king and the people. This contest was waged for fully two centuries and came to a final close when William and Mary became the joint sovereigns of England. The accession of William and Mary brought a new and improved bill of rights, under which the rights and liberty of the individual became definitely settled. The British government could no longer use the chancery power in Great Britain except for specific purposes and under specific conditions. But it used the power in the colonies, especially in the American states. This resulted in the Declaration of Independence, in which one of the gravest indictments was that the colonies had been deprived of their rights to be tried by law and were subjected to the jurisdiction of the chancery court—the equity court. In substance, this was the old tribunician power—resurrected to get away the tried forms of democratic institutions and government by law as distinct from government by autocratic, irresponsible power.

The tribunician power, which is absolute and irresponsible, can not exist together with democratic institutions unless the absolute power is definite in its jurisdiction and so hedged about, that it can not extend beyond its function at will or under temptations too great for poor mortals to bear.

The idea that the lawyer who has served in the house of representatives or in the senate will be any more true to his oath as a judge than he was as a legislator—and both swear a like oath to uphold the constitution of the United States—is an idea not in accord with the modern school of Americanism than with any thought found in the writings of any of the fathers of that Americanism of which we all are justly so proud. Life tenure offers the best way to keep the judges dynastic in the past, nor does it do so in the present. And again be it said reverently, but emphatically—judges are men.

President Green Announces Policy and Purpose of Labor

Washington, Jan. 3.—"The organized labor movement of America is facing the new year full of confidence, hope, and expectation," declared William Green, president of the American Federation of Labor, in a policy statement issued from the federation headquarters here. The general outlook in the field of industry, commerce, and business is decidedly promising.

"We confidently expect to carry forward the work of organization and education among the unorganized and to contend in a most vigorous fashion for a speedy realization and enjoyment on the part of working men and women of all the rights and privileges to which they are justly entitled.

"We shall oppose wrong and contend for the right. We shall resist any and all attempts to lower the workers' living standards, anywhere and everywhere. Ours is a constant, never ending fight for a full and complete recognition on the part of all employers of labor of the principle of collective bargaining, for justice, decent wages and tolerable and humane conditions of employment. Our task will never be completed so long as any part of this declared goal remains unrealized.

"We purpose to be helpful in supporting sound, worthy projects in the field of social justice and economic reform. While supporting legislation both state and national which may prove by careful analysis to be of benefit not only to the workers, but to the citizenship as a whole, we shall oppose with all the power we possess, legalized compulsory arbitration, the abuse of the writ of injunction in labor disputes, the restriction of a legitimate exercise of our liberties, and the curtailment of our inalienable rights.

"The policies which we shall follow in the attainment of our purposes must be determined and set forth from time to time by the Executive Council of the American Federation of Labor. This will include the declared attitude of the American Federation of Labor in the political, social and economic fields.

"We face the future, therefore, with unbounded confidence in ourselves and in our organized labor movement. We are inspired by a hope which springs from a desire for the enjoyment of a fuller and freer life. We are filled with expectation because we firmly believe we shall share in full measure in the prosperity which we trust the new year has in store for all. It is in this spirit we go forward."

Government Disciplines Food Adulterators and Misbranders

Washington, January 3.—The United States Department of Agriculture is charged with the enforcement of the federal food and drugs act.

The Bureau of Chemistry analyzes suspected products and prosecutes the owners when the analysis gives evidence of adulteration or other violations of the law. The department publishes the judgment in a monthly bulletin called "Service and Regulatory Announcements."

A few of the judgments in the current issue, with names omitted, indicate how business is being "carried on as usual" and what Uncle Sam does to some of the law violators. Here they are:

Adulteration of frozen eggs—Fine, $25 and costs.

Adulteration of shell eggs—Fine, $25.

Adulteration and misbranding of canned tuna fish—Condemnation, forfeiture, and destruction.

Adulteration and misbranding of butter—Condemnation, forfeiture and sale.

Misbranding of canned shrimp —Fine, $25 and costs.

Misbranding of olive oil—Fine, $100.

Adulteration of cocoa—Condemnation, and forfeiture.

Adulteration of concentrated tomato and tomato sauce—Fine, $1,000.

Misbranding of salad oil—Condemnation and forfeiture.

Misbranding and adulteration of canned salmon—Condemnation, forfeiture and destruction.

Misbranding of tankage—Condemnation and forfeiture.

Adulteration of canned salmon—Condemnation and forfeiture.

Adulteration of catsup—Condemnation and forfeiture.

Misbranding of tomatoes—Fine, $100.

Adulteration of brazil nuts—Condemnation and forfeiture.

Adulteration and misbranding of butter—Fine, $100 and costs.

Adulteration and misbranding of lemon extract—Condemnation, forfeiture and destruction.

Adulteration of tomato paste —Condemnation, forfeiture and destruction.

Adulteration of chestnuts—Condemnation, forfeiture and destruction.

Misbranding of cotton seed meal—Fine, $300.

Adulteration of coal tar color —Condemnation, forfeiture and destruction.

From the revelations contained in the above judgments for violation of the federal food and drugs act, it is quite evident that some sections of modern business need a permanent sanitary squad in the public interest.

High Wages and Low Cost, Low Wages and High Cost, In Brick Industry

Washington, Jan. 3.—High wages and low cost of production and low wages and high cost of production accompany each other, declares a bulletin on Productivity Costs in Common Brick Industry, just issued by the Bureau of Labor Statistics of the United States Department of Labor.

"The lowest cost, $5.78 per thousand brick, under the stiff-mud process is found in District No. 4," declares the report, "notwithstanding the fact that wage rates in District No. 4 are higher than in any other district under any process." District No. 4 is the State of Illinois.

Assigning the high wage rate in reducing cost is the improved machinery used in making and handling the product, to the method of burning, and to the great capacity of the plants, resulting in lower "time costs"—that is, less man hours per 1,000 brick in District No. 4 than in any other district.

The highest cost, $11.47 per 1,000 brick, was found in Connecticut and Massachusetts, where low wage rates and inefficient methods form an inseparable barrier to low output cost.

"The clay for one plant is dug and loaded by hand onto carts, the clay for practically all plants is transferred by carts or trucks to the machine house, the dried brick of all plants are loaded by hand onto wheelbarrows or wheel cars and shoved to and set in the kilns by hand, the kilns, except those of one plant, are burned with wood or with wood and coal, and the brick of all plants are loaded by hand from the kilns onto carts, trucks, and cars, thereby resulting in a very high "time cost" per 1,000 brick, which, of course, piles up the 'labor cost.'"

In the low wage plants of Connecticut and Massachusetts the labor cost is $6.41 per 1,000 brick, while in the high wage plants of Illinois the labor cost is but $3.38.

Earnings offer an even more striking comparison than output cost. Full-time earnings per week in low wage Connecticut and Massachusetts are $23.63, while in high wage Illinois the earnings reach $39.93.

With respect to quantity of output, the men in low wages Connecticut and Massachusetts produce 470.5 brick per man hour, while the output in high wage Illinois is 1,066 per man hour.

The report is compiled by William F. Kirk, special agent of the Bureau of Labor Statistics.

FARMERS' BUYING POWER HITS THE DOWN GRADE

Washington, Jan. 3.—The farmers' purchasing power expressed in agricultural products is declining, according to the December report of the United States Department of Agriculture on the price situation.

"The purchasing power figure is based upon the value of 30 farm products combined with exchangeable for nonagricultural products and is placed at 89 for November, as compared with 90 for October, and with 100 for the year 9123, which is used as a base," declares the report.

"The gains in indicated purchasing power of farm products that had been made during October were mostly lost in November. The decline is attributed to a drop in prices of farm products and some advance in non-agricultural commodities."

STANDARD FARM PRODUCTS

Washington, Jan. 3.—Standardization of farm products is making rapid progress, according to a report made by the United States Department of Agriculture. Federal grades now obtain for 30 kinds of fruits and vegetables, a number of which have been adopted by the states. The department's standardization program began in 1916.

AUTO TIRE PROFITS BIG

Akron, Ohio, Jan. 3.—A net profit last year of $3,116,629, after all charges, is reported by the Firestone tire and rubber company. The tremendous profits of this concern is indicated by the announcement that a bank indebtedness of $42,000,000 in 1920 has been wiped out.

SMALL-CLAIMS COURT TO PROTECT WORKERS

Little Rock, Ark., Jan. 3.—A small-claims court, administered by the state without cost to litigants and eliminating the requirement of the pauper's oath from a claimant before he can get into court, is recommended by E. L. McKinley, Deputy Commissioner of Labor, as a result of a year's experience of the Bureau of Research and Labor in adjusting without fees or cost workers' wage claims against employers.

"Four hundred and thirty-one wage claims," declares the report, "totaling $27,310.04, have been filed for adjustment with the Bureau of Labor and Statistics between January 1, 1923, and October 1, 1924. Settlements and collections have been made in 228, placing in the hands of the laborers $18,676.26, without cost to the laborer. These claims ranged in sums from 50 cents to $200."

The report also discusses the social necessity for the free wage collection system and its effect on citizenship.

"Where the laborer is not paid for his services, society in some way is compelled to pay the amount due him. His labor is all that he has to sell, and with this he supports his family; when he fails to collect, his grocer, his clothier and often his doctor, his rents, or social welfare societies are forced to fill the gap between finances in his possession and the price of necessities. It would be best that it be made easier for him to collect from those who had used his services and refused or neglected to pay.

"When the uneducated laborer learns that his state government is interested in a fair deal for him, he is a better citizen. When a laborer has a hard fight for a day's wage with which to supply his family with the necessities of life, and then either through inability to pay or design to defraud on the part of the employer, he is prevented from securing that to which he is justly entitled, it has much to do with making of that laborer an enemy to organized society, and a believer in the theory that law and courts are for the protection of other than his class."

2,500 Workers Killed In U. S. Coal Mines

Washington, Jan. 3.—There were 2,452 workers killed in the mines of the United States during 1923, according to a report on coal-mine fatalities just issued by the United States Bureau of Mines. The figures are based on reports submitted by mine officials of the coal-producing states.

Falls of roof and coal are listed as the dominating causes for nearly one-half of the fatalities, 1,158 men meeting death by this agency.

It is apparent from the report that practically most of the fatalities would have been prevented had the mine owners put in to practice modern mine-safety science, applied and advised by the mine-safety experts whose major purpose is safety for the miners rather than profits for the mine owners.

It has been said that the best way to reduce railroad accidents would be to place a railroad director on each and every cow-catcher. Perhaps mine fatalities would be appreciably reduced if directors of the mine corporations were compelled to work in each mine in the places regarded as most dangerous.

FAKE STOCK SALES HEAVY

New York, Jan. 3.—A record of fake stock sales throughout the country shows that this loss will amount to $200,000,000, women and child in the United States. The largest contributors are mine and factory workers, chiefly of foreign birth. The highest per capita loss of any town or group of towns, $40, was reported by seven adjoining towns in Pennsylvania.

West Virginia, Ohio and Indiana, the industrial east—Pennsylvania, New York, Massachusetts and to a less extent New Jersey—is the heaviest loser in the country.

CANADIAN DEPARTMENT OF LABOR PAYS TRIBUTE TO SAMUEL GOMPERS

Ottawa, Can., Jan. 3.—The Labor Gazette, the official journal of the Department of Labor of Canada, pays the following tribute to Samuel Gompers in its December, 1924, issue:

News of the death oh December 18 of Mr. Samuel Gompers was received with deep regret throughout Canada. At the recent convention of the American Federation of Labor at El Paso, Texas, reported elsewhere in the present issue, Mr. Gompers was elected president for the forty-third term. After the convention he had gone to Mexico to attend a joint meeting of the American Federation of Labor, and also to be present at sessions of the Pan-American Federation of Labor, of which he was president. While in the Mexican capital he was stricken by an illness to which he had lately been subject, and passed away at San Antonio, Texas, on his way home.

As president of the American Federation of Labor since its inception in 1881, with the exception of one term, Mr. Gompers had become well known in all parts of the world, but nowhere, outside of the United States, more intimately than in Canada. Of English birth, he came to the United States at the age of 13, taking up the cigar makers' trade, in which his father had been engaged, and as a young man was one of those instrumental in organizing the Cigar Makers' International Union, in which he retained membership up to his death. For a number of years past he was vice president of this organization. As head of the American Federation of Labor he was recognized as the most outstanding figure in the labor movement of North America, and his death will be a great loss to the cause of wage earners everywhere, for whom he had valiantly fought throughout his long lifetime.

During the war Mr. Gompers was a member of the United States Council of National Defence, and in this capacity visited Canada in April, 1918, and delivered an address to the Parliament of Canada. On the conclusion of hostilities he was appointed president of an International Commission on Labor Legislation at the Paris Peace Conference which assisted in drafting the labor part of the peace treaty.

His latest visit to Canada was in 1924, when he attended the regular meeting of the executive council of the American Federation of Labor in Montreal. On this occasion, as previously, Mr. Gompers spoke of the importance of good relations between the workers of Canada and the United States, and of the desire of the American Federation of Labor to be helpful to organized workers in both countries alike.

Cossacks Menace Illinois Citizens; Unionists Combat Vicious System

Chicago, Jan. 3.—The state constabulary bill again looms in the Illinois legislature, and the state federation of labor will renew its fight against this measure. The bill has appeared in the last three legislatures, and each time went down to defeat before a public sentiment that organized labor developed. The trade unionists, however, are not resting on past victories. They are alert to the resourcefulness of those who would create a system of military policing in this state.

In a pamphlet on this subject, written by Victor Olander, secretary of the Illinois state federation of labor, it is declared that these state constabulary bills are the most dangerous measures ever presented to the Illinois legislature.

"They propose to inflict upon the citizens of Illinois," Mr. Olander declares, "the same form of military policing used by the Spanish government in Cuba before the Spanish-American war, by the czarist government in Russia, by the German kaiser in Alsace-Lorraine, by the Belgian king in the Congo, by the British government during the early colonial days in America, and later in India and Ireland, and by the Diaz government in Mexico.

"The bills provide that the military police shall be under the control of a 'commanding officer,' who is to be appointed for life and may only be removed for certain specified constitutional causes. Every member of the force is to have full police authority in all parts of the state to not only make arrests and execute upon warrants, but to arrest without warrant any person against whom they may have suspicion.

"It is provided also that the military police may enter any city or town at any time for any purpose. They are to be authorized to disregard the protests of the mayors, or sheriffs, and to act entirely independent of them.

Secretary Olander shows that the commanding officer may increase his forces from three troops to seven troops without action by the legislature. Advocates of the constabulary declared that these troops will guard rural communities.

"It is within the power of the people of any community, either urban or rural, under the present laws, to increase police protection to whatever extent they think necessary," Secretary Olander replies.

"Any police system that is not directly responsible to and under the control of the people of the particular community where that system operates, is a menace to free institutions and dangerous to the best interests of the people as a whole.

"The so-called state constabulary bill is designed to establish and impose upon the people a purely military force under highly centralized state authority, entirely removed from the influence or control of the citizens.

"The claim that it is a rural police bill is absolutely false."

COMPANY "UNION" CONTROLS WORKERS

By JAMES O'CONNELL
President Metal Trades Dept. A. F. of L.

The employers' union, or the so-called shop organization, is beyond doubt the most deceptive of all industrial activities. The employer who succeeds in inducing workmen to form a shop organization, which permits him to write the by-laws governing such organization, thus outlining the plan or methods by which certain individuals are selected to represent the workmen before the management, and who is able to bring the workmen to believe that his treatment of them will be on the square and that more profitable than could be hoped for through a regular trade union organization, has perpetrated a colossal imposition upon such workmen.

Why the necessity of a company "union" or shop organization of any kind if the employer is to write the constitution and dictate the policies of the organization? Would it not be more honest if the employer would frankly say to his workers: "You need no organization of any kind nor committee to meet me, because I know what you are entitled to better than you do, and I am better able to judge as to the conditions of employment under which you should work."

Workers who are willing to form company "unions" should frankly acknowledge to their employers that they are willing to leave their industrial life in his hands, and not fool themselves into believing that through the company "union" or shop organization they have any voice in betterment or improved conditions of employment. Frankness on the part of both would eliminate misunderstanding, and result without any particular effort on the part of either. Of course, as has been the history of company unions to be, the result is low wages, long hours of labor and miserable conditions of employment.

It is impossible to understand the state of mind of workmen who cheerfully fall into the trap laid by the employer, who, through his shop organization, is able to keep workmen submissive.

The employers are creating various kinds of insurance which, in the end, the employes pay for, either because of being under paid or in some other way indirectly paying for these so-called benefits.

Communists Are a 'Poisonous Claw' Clutching at Labor and Its Friends

London, Eng., Jan. 3.—The labor movement of Great Britain is coming to realize the necessity of applying a drastic policy to the Communists.

"Friendly phrases, such as 'We are all working for the same end,' and 'The Communist is the left wing part of the movement,' obscure the issue," declares J. R. Clynes, labor member of Parliament. "Communists have not acted as a left wing, but as a poisonous claw clutching less at the enemy than at tried and sincere friends of the workers."

Referring to the Communists' disrespect for parliaments and law and the slogan the "dictatorship of the proletariat," Mr. Clynes says:

"It may not be true that our country gets the government it deserves, but it can get the government which it desires. Law is the application of the national will operating through Parliament and applied to individual action. Law is that form of duty to which elected institutions require all of us to conform for our collective benefit. The masses of the people are slowly approaching the stage where new conceptions are being formed of state responsibility and obligation toward individuals within the state. Parliament in the past destroyed rights before labor was either organized or educated. Parliament in the future will establish and provide rights when labor is educated and conscious of the real needs of the nation.

"If government by agencies of fear operating through the force of an army and symbolizing the dominion of a wealthy class over the poorer class is indefensible tyranny, it is no less tyrannical when the dominating class calls itself the proletariat and employs the same instrument which it violently denounced when employed by others."

Labor Criticized For Child Labor Amendment; Law to be Resisted

Washington, Jan. 3.—It is apparent that much of the opposition to the child labor amendment to the federal Constitution comes from those who oppose the American labor movement.

The National Committee for the Rejection of the Twentieth Amendment is distributing a pamphlet by Mrs. George Madden Martin, of Louisville, Ky. Mrs. Martin opens with this statement:

"The chief support behind the pending ratification of the twentieth amendment to the Constitution of the United States, proposing congressional control and regulation of child labor in the states, comes from the American Federation and the American Federation of Labor.

"If this amendment carries in the required three-fourths of the states, and is written into the Constitution of this country, its adoption will be accredited jointly to women and labor. * * *"

Such a combination as the American Federation of Labor and the forward looking women of America to abolish the exploitation of children apparently seems to Mrs. Martin to be an outstanding menace.

But suppose the combination is successful? Suppose the child labor amendment is written into the federal Constitution within a short time, and laws enacted to bring the principle into operation. Will the child labor exploiters obey the federal law and let the children go? There is a doubt about it if Mrs. Martin senses the temper of the exploiters. She stands for state regulation of child labor employers. And if the federal government steps in and assumes the desire of the federal community, what will happen? In the language of Mrs. Martin, "* * * We may as well prepare for wide resistance to the enforcement of our amendment, should we achieve it. * * *"

Textile Mills Are Out Of Date; Owners Reply: "Lower Wages"

Fall River, Mass., Jan. 3.—Citizens continue to ask the question, "What's the matter with the Fall River textile mills?" Open forums are held as citizens note that mills in other sections are more busily engaged than those in this city.

Recently Joseph A. Parks, chairman of the state industrial accident board and an old-time weaver, surprised the mill owners when he publicly charged them with continuing obsolete methods and out-of-date machinery.

The mill owners' reply was a demand for longer hours and lower wages. They said the state official was trying to run down Fall River."

The Rt. Rev. James E. Cassidy opposed the mill managers' plea for longer hours and lower wages. He said if it was the purpose of the mill managers to bring the top mills down to the level of the others, "the quicker the Cotton Manufacturers' association is given a first-class funeral the brighter will be the prospects for Fall River."

"We want mill executives whose heads and whose hearts are susceptible to impression from conditions and methods obtaining here, and whose heads and hearts are not as hard as flint," the clergyman said.

The chairman of the state industrial accident board was more specific in his review of mill conditions. He said that Fall River is suffering from a plethora of mill managers, mill treasurers, mill agents, old-time methods, and old-time machinery, and expensive making devices which prevent its mills from "tuning up and turning out the best cloth in the world."

"Fifty corporations, with 50 different heads-in-chief, who are paid 50 times the salary or approximately so, of one general head. Fifty agents, where one general manager would suffice, with such assistants as were actually needed. Fifty distinct organizations, where one general organization might be had. Many obsolete plants which might be scrapped to advantage and modern machinery and methods installed instead. Fifty buying organizations instead of one.

"The salary paid each mill treasurer, agent or manager, is enough to pay at least a small dividend on the capital stock of that mill."

Mr. Parks enumerated several reasons why large holders of stock refuse to combine and abandon obsolete methods. "One reason is known to some," he said, "is the desire to do business by favor, to favor this or that broker, to favor this or that mill supply man, to favor this or that insurance man."

With proper management, Mr. Parks said, there would be no need for wage cuts, because the savings, through economies, would be enormous.

In the discussions it developed that Fall River has several advantages over the south that is not mentioned by those who continually refer to the low hours and low wages of their competitors. It was stated that cotton is bought cheaper in Fall River than anywhere else and that commissions on sales are lower here than in the south.

"We do not pay over 1 per cent commission, and sometimes we don't pay anything," one mill manager acknowledged. "The southern mill men have to pay from 3 to 5 per cent for commissions. During the war we sold our goods at 3 per cent. Now commission, while the southern mills had to go through New York commission houses and there paid from 3 to 5 per cent in commissions."

FOOD COSTS INCREASE

Washington, Jan. 3.—An increase of about 1 per cent in the retail cost of food in November, 1924, as compared with the previous month, is reported by the United States bureau of labor statistics. Strictly fresh eggs advanced 14 per cent; sugar, 8 per cent; pork, 7 per cent; coffee, 6 per cent, and lard, 5 per cent.